

REMARKS

Claims 1-76 are all the claims pending in the Application. Claims 1-6, 10, 14-23 and 30-76 are rejected.

Statement of Substance of Interview

Applicant thanks the Examiner for conducting a personal interview with Applicant's representative on October 14, 2005. At the personal interview, Applicant's representative pointed out that, in contrast to the invention, where a direct connection between the interface module and the port module for communicating independently from the connection manager is provided, *Polizzi et al.* (the sole reference applied by the Examiner) discloses that service broker 125, *inter alia*: (1) "controls access to the portal system 120 by a particular user 100" (par. 0035); (2) "provides session management services for users" (par. 0035); (3) "acts as a gateway to the other service agents within the portal system 120" (par. 0035); (4) "retrieves a set of metadata corresponding to the user's personal portal page 1000 from the repository" (par. 0091); (5) retrieving and dispatching a "job (along with the user context) to an appropriate job server 230" (par. 0092); and (6) after the job is run and an output report generated, the "output report will then be transmitted to the service broker 125 so that it can be forwarded to the user who requested it" (par. 0093). In other words, Applicant's representative showed that *Polizzi et al.*'s service broker manages all of the portal system 120's communication with network interface 105, and is accordingly always interposed between network interface 105 and agents 130. This is quite different from the invention now recited in independent claims 1, 18, 35, 68, 71, and 74, where a direct connection between an interface module and a port module for communicating independently from the connection manager is claimed.

Thus, it is Applicant's representative's understanding that, based on the amendment herein of independent claims 1, 18, 35, 68, 71, and 74, the current rejection of these claims based upon *Polizzi* will be withdrawn, and the Examiner will conduct a further search.

Allowable Subject Matter

Applicant acknowledges the Examiner's indication that claims 7-9, 11-13 and 24-28 would be allowed if rewritten in independent form. However, Applicant respectfully requests that the Examiner hold in abeyance such rewriting until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejection of the other claims.

Indefiniteness Rejection

The Examiner has rejected claims 1, 14, 29, 35, 68, 69, 71, 72, 74 and 75 as allegedly being indefinite under 35 U.S.C. § 112, second paragraph.

Regarding claims 1, 14, 29, 35, 68, 69, 71, 72, 74 and 75, the Examiner has alleged: (1) that "it is not clear ... how the direct connection between port module and interface module [is] accomplished distinctively from the conventional synchronization" (*O.A.*, p. 2).

However, Applicant again respectfully submits that this rejection is improper. Specifically, the second paragraph of 35 U.S.C. § 112 (upon which the Examiner bases the instant rejection) indicates that the "specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention." As indicated in MPEP § 2173, in reviewing a claim for compliance with this paragraph, the examiner must consider the claim as a whole to determine "whether the claim apprises one of ordinary skill in the art of its scope."

In this instance, the Examiner does not seem to argue that the claims do not apprise one of ordinary skill in the art of their scope. Rather, it seems that the Examiner is arguing that the rejected claims are indefinite because they are not distinctive from the prior art. This is not the correct standard, and therefore Applicant respectfully submits that the rejection of these claims is incorrect.

In view of the above, withdrawal of the indefiniteness rejection is respectfully requested.

Rejection Under Obviousness-Type Double Patenting

The Examiner has provisionally rejected claims 1-3, 18-20 and 76-79 as being unpatentable over claims 1-36 of US Patent Application 09/750,432 and claims 1-19 of US Patent Application 09/750,475.

As this is a provisional rejection, based only upon pending patent Applications, Applicant elects to defer addressing the merits of the provisional rejection until one of the cited pending Applications issues. Such deferral of addressing the merits of the rejection is clearly contemplated by MPEP § 804(I)(B), which states that a “provisional” double patenting rejection is designed simply to make Applicant aware of a potential problem. No response on the merits is required, as no patented claims are available to be analyzed. Should the Examiner believe that Applicants are required to address the merits of the rejection at this time, he is respectfully requested to identify authority imposing such a requirement.

Applicant reserves the right to address the merits of the provisional double patenting rejection or submit a terminal disclaimer to obviate the rejection.

Prior Art Rejections

The Examiner has rejected: (1) claims 1-6, 10, 14-23, 30-32, 34-56, 58-62 and 64-76 under 35 U.S.C. § 102(b) as being anticipated by *Polizzi et al.* (US 2002/0023158); and (2) claims 33, 57 and 63 under 35 U.S.C. § 103(a) as being unpatentable over *Polizzi et al.* These rejections are now believed to be moot in view of the above.

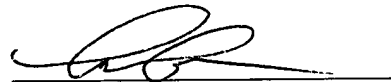
Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-76 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-76.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



Timothy P. Cremen
Registration No. 50,855

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 6, 2005